

1 Total pages: 2
JAMES E. SALVEN
2 Chapter 7 Trustee
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6 **IN THE UNITED STATES BANKRUPTCY COURT**
7 **EASTERN DISTRICT OF CALIFORNIA**
8

9 In the Matter of

Case No. 10-13417-A-7

10 DC No. JES-1

11 **WALTER & BETTY OVERBY,**

**MOTION FOR AUTHORIZATION
TO SELL PERSONAL PROPERTY**

12
13 Debtor(s).
14 _____ /

Date: December 16, 2010
Time: 9:00 a.m.
Dept: A

15 TO THE HONORABLE WHITNEY RIMEL, UNITED STATES BANKRUPTCY JUDGE:

16 James Salven respectfully represents:

17 1. He is the duly appointed, qualified and acting trustee of
18 the above-entitled estate.

19 2. The above-captioned case was filed under Chapter 7 on
20 March 31, 2010.

21 3. This Court has jurisdiction over this proceeding by virtue
22 of 28 U.S.C. §1334(a). This is a "core" proceeding pursuant to 28
23 U.S.C. §157(b) (2) (A). This motion is brought pursuant to 11
24 U.S.C. §363.

25 4. Among the assets of this estate are a 2009 Yamaha
26 Motorcycle, 2004 non-operable Volkswagen Jetta and a 1984 Chrysler
27 5th Avenue.

28 5. The trustee has obtained an offer from the debtors, Walter

1 & Betty Overby, to purchase said asset(s), for the sum of \$8,053,
2 less a secured lien of \$5,053, and no claimed exemptions, for net
3 cash to the estate of \$3,000. Funds have been received by the
4 estate and are awaiting court approval.

5 6. The trustee has not agreed to pay commissions to any party
6 in connection with the proposed sale.

7 7. The property is to be sold subject to liens and
8 encumbrances of record.

9 8. Said offer is the best and highest offer received for said
10 property and, in the opinion of the trustee, said offer is for the
11 full and fair market value of said property.

12 9. The trustee believes that confirmation of said sale on the
13 terms set forth above is in the best interest of the creditors of
14 this estate and all parties in interest.

15 **WHEREFORE**, the trustee prays that after appropriate notice and
16 opportunity to be heard, he be authorized to sell the above-
17 described asset to the debtor(s), Walter & Betty Overby.

18
19
20 DATED: _____

4/9/10

21 _____
JAMES E. SALVEN,
Movant